

A0502612

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----X  
MICHAEL GLAUBER and IRENE GLAUBER, :

Plaintiffs

-against-

J.B. HUNT TRANSPORT, INC. and  
JASON ARTHUR JARVIS

Defendants.  
-----X

Date Filed:

12803-67

INDEX NO.:

SUMMONS

RECEIVED

JUL 16 2007

To the above named Defendant:

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer on Plaintiffs' attorneys within 20 days after service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

**NOTICE OF NATURE OF ACTION AND RELIEF SOUGHT**

The object of the above captioned action is a tort claim in the amount of not less than \$500,000 Dollars.

Dated: Larchmont, New York  
July 12, 2007

Defendants Address:  
P.O. Box 130  
615 J.B. Hunt Corporate Dr.  
Lowell, Arkansas 72745  
(479) 820-0000

KAHAN & KAHAN

  
DOUGLAS KAHAN, ESQ.

Attorneys for Plaintiffs  
1328 Boston Post Road  
Larchmont, NY 10538  
(914) 630-1178

9/1/07

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COUNTY OF WESTCHESTER

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Plaintiffs, :

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VERIFIED COMPLAINT

RECEIVED  
JUL 16 2007  
THE JUDICIAL  
CLERK  
COUNTY OF WESTCHESTER

Plaintiffs, by their attorney, KAHAN & KAHAN, complaining of the Defendants,  
upon information and belief, respectfully allege as follows:

PARTIES

1. Plaintiff, Michael Glauber, resides at 1 Shadow Lane, Larchmont, New York, 10538.
2. Plaintiff, Irene Glauber, resides at 1 Shadow Lane, Larchmont, New York, 10538.
3. The Defendant, J.B. Hunt Transport, Inc. (hereinafter "J.B. Hunt"), was the owner of a motor vehicle involved in a motor vehicle incident on April 11, 2005. J.B. Hunt was and still is a corporation, duly licensed and existing under the Laws of the State of Georgia, with a place of business at 400 South Council, Oklahoma City, Oklahoma, 23179. On or about July 20, 1990, J.B. Hunt registered and obtained authority to do business in the State of New York as a Foreign Business Corporation and listed its principal place of business as 615 J.B. Hunt Corporate Drive, Lowell, Arkansas and its address for purposes of Service of Process by the Secretary of State of the State of New York as P.O. Box 130, 615 J.B. Hunt Corporate Dr., Lowell, Arkansas, 72745.
4. The Defendant, Jason Arthur Jarvis (hereinafter "Jarvis"), was the operator of said motor vehicle involved in a motor vehicle incident on April 11, 2005. Jarvis is a resident of the State of Virginia, with his address at 2509 E. VA. Beach Blvd., Norfolk, Virginia, 23504.

AS A FIRST CAUSE OF ACTION  
ON BEHALF OF PLAINTIFF, MICHAEL GLAUBER:

5. This plaintiff repeats, reiterates and realleges each and every Paragraph of this Complaint numbered "1" through and including "4" as if fully set forth herein

6. That the JB Hunt's motor vehicle was involved in a motor vehicle incident on the Long Island Expressway in the County of Queens, State of New York.

7. That on April 11, 2005, J.B. Hunt's motor vehicle was being operated on the Long Island Expressway in the County of Queens, near 168<sup>th</sup> Street.

8. That on April 11, 2005, the vehicle owned, operated and controlled by the defendant's struck plaintiffs' motor vehicle in the rear, causing plaintiffs to sustain severe personal injuries.

9. That this plaintiff has sustained serious permanent injuries, as defined in Section 5102 et seq. of the Insurance Law of the State of New York and is a qualified person thereunder.

10. That said accident and injuries were caused by reason of the carelessness and negligence of the defendant J.B. Hunt and its motor vehicle operator, defendant Jarvis, in that they failed to exercise reasonable care under the circumstances; in striking another vehicle in the rear on the roadway; in that they operated their motor vehicle at an excessive rate of speed under the circumstances; in that the defendant Jarvis failed to give a timely signal or warning of their approach; in that they operated their motor vehicle so that they failed to obey the Vehicle and Traffic Laws in the State of New York, as well as the local Traffic Department Rules and Regulations in such cases made and provided at the location of the accident, and the defendant's were further careless and negligent in failing and omitting to take precautions for the safety of this plaintiff.

11. That as a result thereof, this plaintiff sustained severe personal injuries, both internal and external, to diverse parts of his body, some of which injuries will remain permanent.

12. That as a result thereof, this plaintiff was obligated to and did employ medical care, aid and attention, which included surgical procedure to repair an ankle fracture, in an attempt to cure himself of his injuries sustained in the injuries suffered on April 11, 2005 and he may, in the future, be obliged to incur further expenses for medical care and attention and will incur further loss and damages.

13. That as a result thereof, this plaintiff suffered losses to his property including the total loss of his automobile, his camera, a cell phone as well as incidental losses of wages and the incurrence of out-of-pocket costs

14. That as a result thereof, this plaintiff sustained damages in the sum of FOUR HUNDRED FIFTY THOUSAND and 00/100 (\$450,000.00) DOLLARS.

AS A SECOND CAUSE OF ACTION  
ON BEHALF OF PLAINTIFF, IRENE GLAUBER:

15. This plaintiff repeats, reiterates and realleges each and every Paragraph of this Complaint numbered "1" through and including "13" as if fully set forth herein.

16. That this plaintiff is the wife of the plaintiff, Michael Glauber, and she, Irene Glauber, as a result of the incident that occurred on April 11, 2005 has lost the comfort, society and services of her husband thereby sustaining damages in the sum of FIFTY THOUSAND and 00/100 (\$50,000.00) DOLLARS.

**WHEREFORE**, plaintiffs MICHAEL GLAUBER and IRENE GLAUBER demand judgment against the defendants for the First Cause of Action in the sum of \$450,000.00 (Four Hundred Fifty Thousand Dollars) and for the Second Cause of Action in the sum of \$50,000.00 (Fifty Thousand Dollars) together with the interests, costs and disbursements of this action.

Dated: Larchmont, New York  
July 12, 2007

KAHAN & KAHAN

By: 

Douglas E. Kahan  
1328 Boston Post Road  
Larchmont, New York 10538  
(914) 630-1178

VERIFICATION

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STATE OF NEW YORK       )  
  ) SS.:  
COUNTY OF WESTCHESTER )

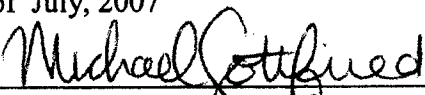
Michael Glauber, being duly sworn, deposes and says:

I am one of the plaintiffs in the action herein; I have read the pre-fixed complaint  
and know the contents thereof and the same are true to my knowledge, except those matters  
therein which are stated to be alleged on information and belief, and as to those matters I believe  
them to be true.

  
\_\_\_\_\_

Sworn to before me this 12<sup>th</sup> day

of July, 2007

  
\_\_\_\_\_  
NOTARY PUBLIC

MICHAEL GOTTFRIED  
Notary Public, State of New York  
No. 02GO6016444  
Qualified in Westchester County  
Certificate Filed in New York County  
Commission Expires Nov. 23, 2011

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER**

Index No. \_\_\_\_\_

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Defendants.

**SUMMONS AND VERIFIED COMPLAINT**

**KAHAN & KAHAN**  
Attorneys for Plaintiffs  
1328 Boston Post Road  
Larchmont, New York 10538  
Telephone (914) 630-1178

Signature \_\_\_\_\_ Service of a copy of the within is hereby admitted  
Dated: \_\_\_\_\_